

Summary Minutes of the  
Delta Protection Commission Meeting  
Thursday, April 22, 2010

City of Isleton – Community Center  
208 Jackson Blvd.  
Isleton, California 95641

ADMINISTRATIVE AGENDA

**1. Call to Order/Flag Salute.**

Vice Chair Reagan called the meeting to order at 5:35 p.m.

**2. Welcome Commission Members.**

Vice Chair Reagan welcomed Commission members and guests to the meeting.

**3. Roll Call.**

Present: Chair Nottoli; Commissioners Albright, Brand, Ferguson, McGowan, Piepho, Reagan, Ruhstaller, Scriven, Snow, van Loben Sels and Vick.

Absent: Commissioners Cabaldon, Eggman and Pegos.

**4. Public Comment. Opportunity for Members of the Public to Address the Commission on Items Not on the Agenda.**

Bill Geyer, Resource Landowners Coalition said that he and others had met with the Governor's Office to discuss the Williamson Act. Mr. Geyer referenced the Comstock Magazine article, Farm Aid: "Is the Williamson Act the Next State Budget Casualty", in which he quoted on the subject.

**5. APPROVE Minutes of March 25, 2010 Meeting**

Commissioner Piepho asked that a correction be made to the spelling of Commissioner Vick's name.

Commissioner Albright moved approval of the minutes with the change; Commissioner Piepho seconded. The minutes were approved unanimously.

REGULAR AGENDA

**6. RECEIVE Informational Presentation From the Water Education Foundation**

Rebecca Scott, Water Education Foundation (WEF) Director of Tourism provided an overview of the WEF. Ms. Scott said that WEF is an unbiased non profit organization that focuses on producing materials and events to educate people on various statewide and regional water issues. She highlighted a few of the organizations publications such as *Western Water*—a bi-monthly publication which covers topics in water; Laypersons Guides series—which are publications that provide unbiased factual information on topics such as drinking water, environmental issues, flood management, water marketing, etc; and ACQUAfornia—a new blog that lists all water

articles on its website. Ms. Scott reported that in addition to publications, WEF sponsors many tours, with the next tour taking place at the Suisun Marsh.

**7. Receive Presentation from The Great Delta Trail Consultant Team on the Process Underway in Contra Costa and Solano Counties and Provide Input on Preparation of Trails Best Practices Memorandum, Development of Technical Issues Memorandum, Outreach Goals and Objectives, and Funding Memorandum.**

Michael Jones, Alta Planning & Design gave an overview of the Delta Trail planning process underway in Contra Costa and Solano counties pursuant to the Commission's charge under Senate Bill 1556. Mr. Jones said the planning process is to build on the existing trail networks and identify new and potential trail alignments but not adopt specific alignments. ALTA is working with the Commission, National Parks Service and the East Bay Regional Parks Service to put together a Trail Blueprint Report that will focus on Contra Costa and Solano counties and later focus on Sacramento, San Joaquin and Yolo counties. Next steps include a presentation of the draft Blueprint report and advisory committee meetings sometime in August 2010.

Commissioner Albright noted that it should be stated that what would be contributing to making the trail successful is its stewardship role. Mr. Jones responded that the trail's stewardship role is the central theme.

Commissioner van Loben Sels stated that ALTA would need buy in from the US Fish and Wildlife Services, The Nature Conservancy and the California Department of Fish when working on the process and the Blueprint Report. Linda Fiack noted these entities are on the Technical Advisory Committee.

**8. RECEIVE Update on Assembly Bill 2336 (Fuller) and Take Action to Oppose or Support, or Continue to Watch as Neutral.**

Linda Fiack noted that two speakers voiced their concern over the bill at the last Commission meeting and asked that the Commission give guidance on how it would like to proceed.

Commissioner Reagan stated that the bill is broad and significant, and recommended that the Commission continue to watch the legislation.

Commissioner Albright said that the California Invasive Species Council of California identified the striped bass as an invasive species in its report. He said he would check on the list of all invasive species that were adopted in the report.

**9. RECEIVE Report from Executive Committee and Act on Recommendations as Determined Appropriate Pursuant to Commission Member Discussion:**

**A. Delta Stewardship Council.**

Chair Nottoli reported that the Stewardship Council convened its first meeting on April 1, 2010 to discuss organizational actions item. The Council also met on April 22, 2010 and would continue on April 23, 2010 to discuss the approval of a consultant contract of \$9 million for work to begin on the Delta Plan and to discuss separation of duties and development of an interim plan. Chair Nottoli stated that he suggested to the Council to use the Commission's Land Use Plan as a basis for its Delta Plan.

Commissioner Piepho asked the Chair if attending all the Council meetings in addition to his other duties, including chairing the Commission has been challenging. Chair Nottoli responded he is putting forth every effort to meet the challenge. Commissioner Piepho also noted that he is the only unpaid member of the Council.

Commissioner Piepho suggested that anyone who supports the Commission's role in the Delta contact their legislators and the budget committee to indicate their support for funding for the Commission. She stated that she is shocked at the amount of funding for the Council vs. that of the Commission—particularly considering the Commission's new legislative mandates and timelines. She further stated that the Commission too should send a letter outlining its concerns.

Commissioner McGowan also agreed that the Commission send a written statement to state its issues with its lack of funding.

Commissioner McGowan moved to send communication to the Legislature, as has the Delta Counties Coalition, to indicate support for the Commission's funding and activities; Commissioner Piepho seconded. The motion was approved unanimously by voice vote.

#### **B. Executive Director Recruitment.**

Commissioner Reagan reported that there were 17 applicants for the Executive Director position, 3 applicants withdrew, 6 were interviewed by the Personnel Recruitment Committee and 3 of the 6 have been identified to be interviewed by the Executive Committee on May 19, 2010. He said it is necessary to have an appointment by the end of June.

Commissioner Scriven asked when would the full Commission will vote on the final candidate, and would anyone have a chance to perform a background check. He said the Central Delta Water Agency is fully invested in the recruitment process and he must give them a full report on the potential hire. Vice Chair Reagan responded that the Commission would formulate a recommendation for a candidate at the May 20, 2010 meeting as there must be an appointment by the end of June.

Commissioner van Loben Sels stated that the North Delta Water Agency is also fully invested in the recruitment process.

Commissioner Piepho asked if there were criteria for the makeup of the Executive Committee and if there was a chance for others to serve. Vice-Chair Reagan responded that the committee is made up of the Chair, Vice-Chair and past Chair pursuant to appointment at a previous meeting of the Commission, and Chair Nottoli responded that the makeup could be expanded to include other member entities as long as the number does not constitute a majority of the full Commission.

#### **C. Commission Committee Appointments**

Commissioner Reagan asked to be added to the Legislative Committee with Commissioner (alternate) Provenza. The Commission concurred with the appointment

Matt Campbell reminded the Commission that any committees with three or more members would have to notice all meetings.

**D. Establishment of Advisory Committees Pursuant to Provisions of SBX7 1**

Vice-Chair Reagan reported that he and Commissioner Pegos discussed convening an advisory committee of 15 to 20 people in addition to convening functional tasks forces (as needed) to work on Delta issues. He said the Commission should work with the Governor's Office of Economic Development and other EDCs for outreach. In addition, outreach should identify the various economic drivers, current and potential, within the Delta to form teams of people that are well versed in the various industries that could advise the Commission on ag. and economic sustainability.

Commissioner van Loben Sels said that Delta residents are missing in the process and recommended that a fair percentage of local Delta residents be appointed to the advisory committees.

Ms. Fiack reminded the Commission that the Recreational Boaters of California and representatives from the City of Antioch were also interested in serving on the committee.

Greg Zlotnik, representative of the State and Federal Water Contractors stated that his group was very interested in Delta activities and serving on the Advisory Committee

**10. RECEIVE Update on the Delta Conservancy From the Commission's Representative on the Advisory Committee.**

Mark Wilson, Clarksburg reported that to date, there have been no Delta Conservancy meetings or communications regarding a Conservancy meeting.

Commissioner Snow noted that all but 4 appointments have been made to the Conservancy—the Governor and Legislature have yet to make appointments.

**11. Discuss Development of Principles for Providing Input to the Delta Council for Consideration in the Delta Plan Development Process.**

Commissioner McGowan stated that he would like the water package to stay on the Commission's radar. He said that in making its recommendations to the Stewardship Council, the Commission should be aggressive and affirmative as that would let the Council know the value of the Commission.

**12. Receive Update from the Commission Primary Zone Study Committee.**

Commissioner Albright reported that 3 Proposals were submitted in response to the Request for Proposals. The Committee held interviews and the candidates (Dangermond Group, Douglas Environmental, and HTNB) were scored, and will be ranked, according to state guidelines. The Committee is anticipating selection of a consultant and award of contract to begin work no later than May 17, 2010. This timeline is, however, subject to the securing of funding.

Chair Nottoli asked how much money would be needed to complete the study. Ms. Fiack responded the amount is anticipated to be in the neighborhood of \$100,000.

**13. Receive Update From the Commission Economic Sustainability Plan Committee.**

Commissioner Albright reported that the Economic Sustainability Committee held its first meeting where it brainstormed how to proceed and to develop focus topics for future meetings. The Committee voiced that the Economic Sustainability Plan should be actionable, targeted, and influence decision making and activities in the Delta. In addition, the plan should build on a framework of components that are based on vision taking into consideration environment, economics, social equity and public health. He said the committee decided to pursue an RFQ in order to get a strong framing and strengthening of scoping as an initial step, when budget is available, and subsequently an RFP for consultant services. The next meeting has been scheduled for May 20, 2010.

Commissioner McGowan asked how the democratic process would be defined in order to embed the Delta citizenry in the process. Commissioner Albright responded that the process would be democratic and Delta residents would be included, particularly within the implementation process.

**14. REVIEW 2006-2011 Strategic Plan and Provide Direction to Staff to Terminate Implementation or Amend, or be Consistent With Revised Management Plan.**

Ms. Fiack reported that the adopted Strategic Plan was based on policies of the 1995 Management Plan. She asked that the Commission think about whether the Plan should be updated to coincide with the policies of the revised Management Plan or should be terminated. The item will be included on the May agenda.

**15. Commission and Staff Comments and Announcements.**

Commissioner van Loben Sels announced that landowners in the Delta that were exempt from reporting water use for agricultural purposes in 2009 have to report by July 1, 2010 the amount of the diversion, parcel number, type of crops and the month of the diversion.

Commissioner Ferguson announced that the Asparagus Festival would be taking place in Stockton over the weekend.

Mark Wilson announced that a water diversion workshop would take place on May 4, 2010 in West Sacramento. Topics will include the description of new reporting requirements as well as the consequences for failure to report. He provided a flyer with the details of the workshop.

Commissioner Reagan announced that the Highway 12 Corridor and Rio Vista Bridge Study process is including county meetings.

**16. ADJOURN.**

The meeting was adjourned at 7:40 p.m.